

LAK-53 Intersection Improvement Project

State Highway 53 in Lake County

01-LAK-53-KP 4.75 (PM 2.95)

EA 466400



Initial Study with Negative Declaration

Prepared by the
State of California Department of Transportation

February 2007



SCB
01 LAK-53-KP 4.75
(PM 2.95)
EA 466400

Intersection Improvement Project on State Highway 53 in Lake County, California

KP 4.75 (PM 2.95)

**INITIAL STUDY
WITH PROPOSED
NEGATIVE DECLARATION**

Submitted Pursuant to (State) Division 13, California Public Resources Code

THE STATE OF CALIFORNIA
Department of Transportation

27 November 2006
Date of Approval


John Webb, Chief
North Region Environmental Services
California Department of Transportation

NEGATIVE DECLARATION

STATE OF CALIFORNIA
DEPARTMENT OF
TRANSPORTATION

SCH No. 2006122003

01-LAK-53-PM 2.95
EA 466400

NEGATIVE DECLARATION

Pursuant to: Division 13, Public Resources Code

Description

The California Department of Transportation (Caltrans) is proposing to perform various safety improvements at the intersection of SR-53 and 40th St./Lakeshore Avenue in the City of Clearlake in Lake County (PM 2.95). The current intersection is signalized but does not provide a protected left turn lane.

Construction activities will consist of: modifying the existing signal system to provide protected left turns onto SR-53 from 40th St./Lakeshore Ave., cut back the slope in the northwest quadrant of the intersection to increase sight distance, placement of fill near the mini market business to widen lanes back to the mini market driveway in the southwest quadrant of the intersection, and various drainage improvements, which include the creation of a rock-lined ditch from the area near the overside drain in the southwest quadrant of the intersection down the slope to the natural bottom of the drainage where it flattens out. The project will require earthwork, pavement widening, sidewalks digouts, cold planning, repaving restriping, and drainage work.

Determination

An Initial Study has been prepared by the California Department of Transportation (Department), District 3. On the basis of this study it is determined that the proposed action will not have a significant effect upon the environment for the following reasons:

- The proposed project will **no effect** on air quality, floodplains, geology, utilities, noise levels, public services, farmland, planned land use, neighborhood integrity, soils, wetlands, water quality, wildlife, or social, recreational or educational facilities;
- The proposed project will not increase seismic hazards or induce growth;
- The proposed project will have **no significant effect** on cultural resources or hazardous waste sites.



John Webb, Chief,
North Region Environmental Services
California Department of Transportation

25 January 2007
Date

Table of Contents

List of Figures	iii
List of Abbreviated Terms	iv
Chapter 1 Proposed Project	1
1.1 Introduction	1
1.2 Purpose and Need	1
1.3 Alternatives	6
Build Alternative	6
No-Build Alternative	6
Alternatives Considered and Withdrawn	6
Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization and/or Mitigation Measures	7
2.1 Human Environment	8
Traffic and Transportation/Pedestrian and Bicycle Facilities	8
Visual/Aesthetics	9
Cultural Resources	10
2.2 Physical Environment	14
Air Quality	14
Noise and Vibration	15
2.3 Biological Environment	16
2.4 Animal Species	16
2.5 Plant Species	17
Chapter 3 Comments and Coordination	20
Chapter 4 List of Preparers	22
Appendix A CEQA Checklist	23
Appendix B Title VI Policy Statement	35
Appendix C Minimization and/or Mitigation Summary	36
Appendix D List of Technical Studies	39
Appendix E Public Review Comments	40

List of Figures

Figure 1-1. Project Location Map.....	2
Figure 1-2. Color Aerial Layout Sheet	3
Figure 1-3. Layout Sheet “A”	4
Figure 1-4. Layout Sheet “B”	5
Figure 1-5. Newspaper Ad.....	21
Figure 1-6. SHPO Concurrence Letter.....	40
Figure 1-6. SHPO Concurrence Letter (cont’d).....	41

List of Abbreviated Terms

ADA	Americans With Disabilities Act
APE	Area of Potential Effects (cultural resources)
BMP	Best management practices (water quality)
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CO	Carbon monoxide (air quality)
dBA	Decibels (noise level measurement)
ESA	Environmentally Sensitive Area
ESA	Endangered Species Act
FHWA	Federal Highway Administration
ft	foot/feet
HPSR	Historic property survey report
IS	Initial Study
km	kilometer(s)
KP	kilometer post
Leq	Equivalent noise level
m	meter(s)
MBTA	Migratory Bird Treaty Act
mi	mile(s)
NAC	Noise abatement criteria
NEPA	National Environmental Policy Act
NES	Natural Environment Study (biological resources)
PM	post mile
ppm	Parts per million
PRC	Public Resources Code
RWQCB	Regional Water Quality Control Board
SHPO	State Historic Preservation Office
SR	State Route
USC	United States Code

Chapter 1 Proposed Project

1.1 Introduction

The California Department of Transportation (Caltrans) is proposing to perform various safety improvements at the intersection of SR-53 and 40th St./Lakeshore Avenue in Lake County (KP 4.75)(PM 2.95). The current intersection is signalized but does not provide a protected left turn lane.

Construction activities will consist of; modifying the existing signal system to provide protected left turns onto LAK-53 from 40th St/Lakeshore Ave, cut back the slope in the northwest quadrant of the intersection to increase sight distance, placement of fill near the mini market business to widen lanes back to the mini market driveway in the southwest quadrant of the intersection, and various drainage improvements, which include the creation of a rock-lined ditch from the area near the overside drain in the southwest quadrant of the intersection down the slope to the natural bottom of the drainage where it flattens out. The project will require earthwork, pavement widening, sidewalks, digouts, cold planning, repaving, restriping, and drainage work.

1.2 Purpose and Need

Caltrans Traffic Operations Branch identified a concentration of accidents at the intersection of LAK-53 and Lakeshore/40th Avenues. During a 5-year period, June 1 1999 to May 31, 2004, there were 28 total accidents at this location. Six accidents were classified as “Rear End”; 6 were “Red Light Violations”; 9 were “Failure to Yield”; 4 were “Improper Turns/Unsafe Turning Movements”; 1 was “Trouble Merging”; 1 was “Speeding/Inattention”; and 1 was classified as “Other”. Of those 28 accidents, 25 appear to be multi-vehicle.

The proposed safety project will improve traffic operations by creating dedicated left turn lanes on the local street legs and modify the existing signal system providing a left turn phase. The project includes earthwork, pavement widening, resurfacing, upgrading signals, improving drainage, and constructing adjacent sidewalks to meet current American With Disabilities Act (ADA) standards.

Figure 1-1. Project Location Map

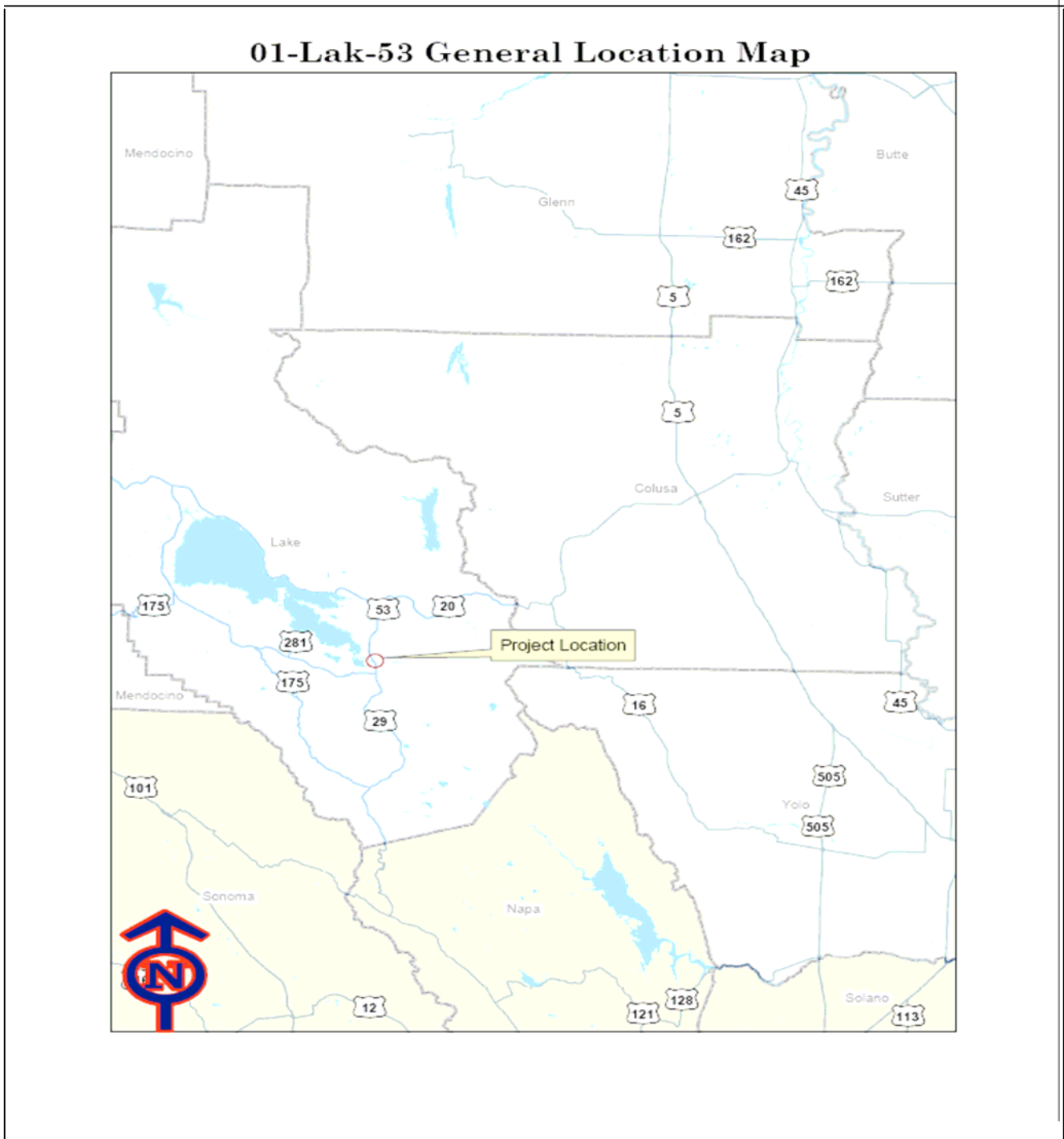
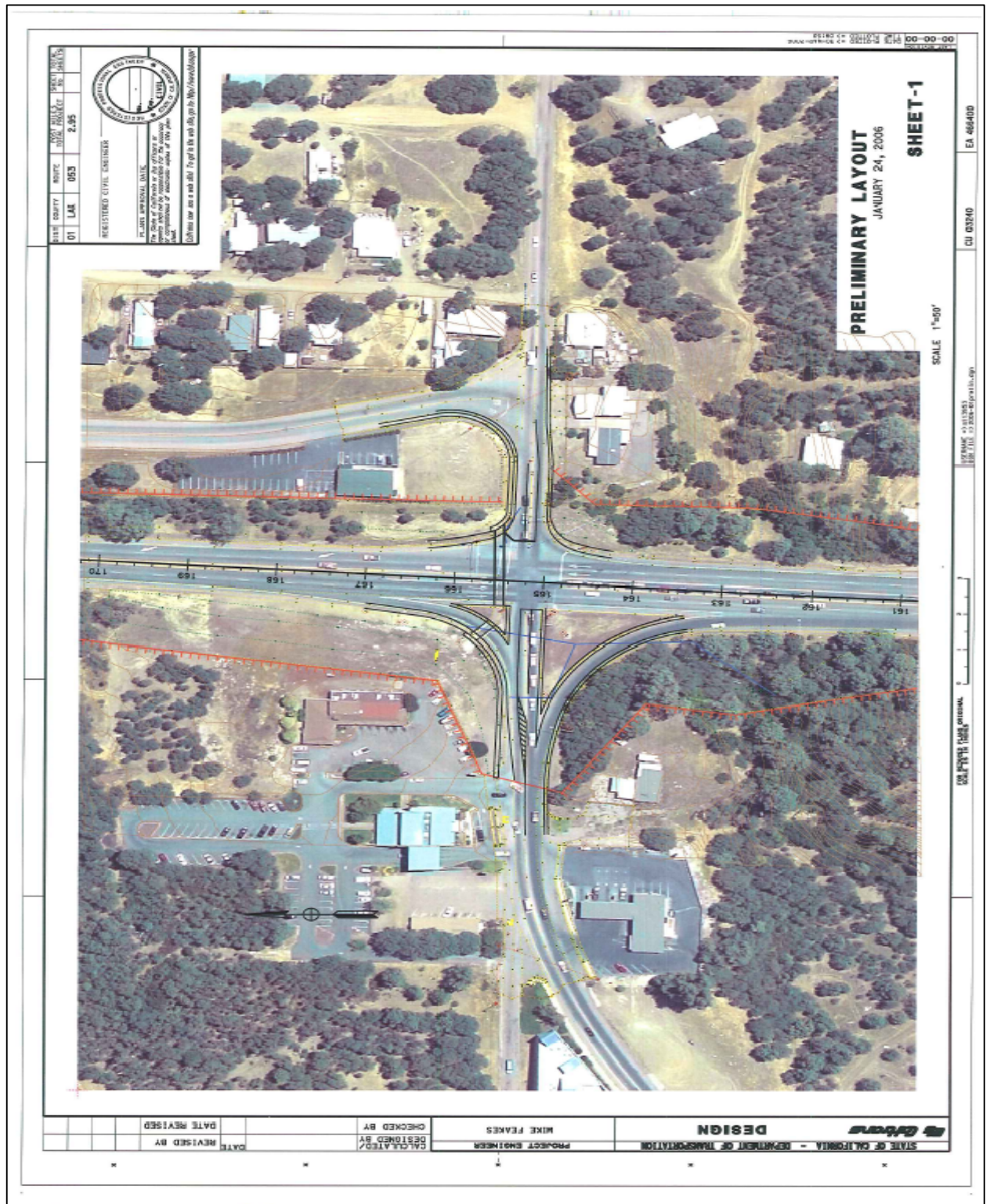


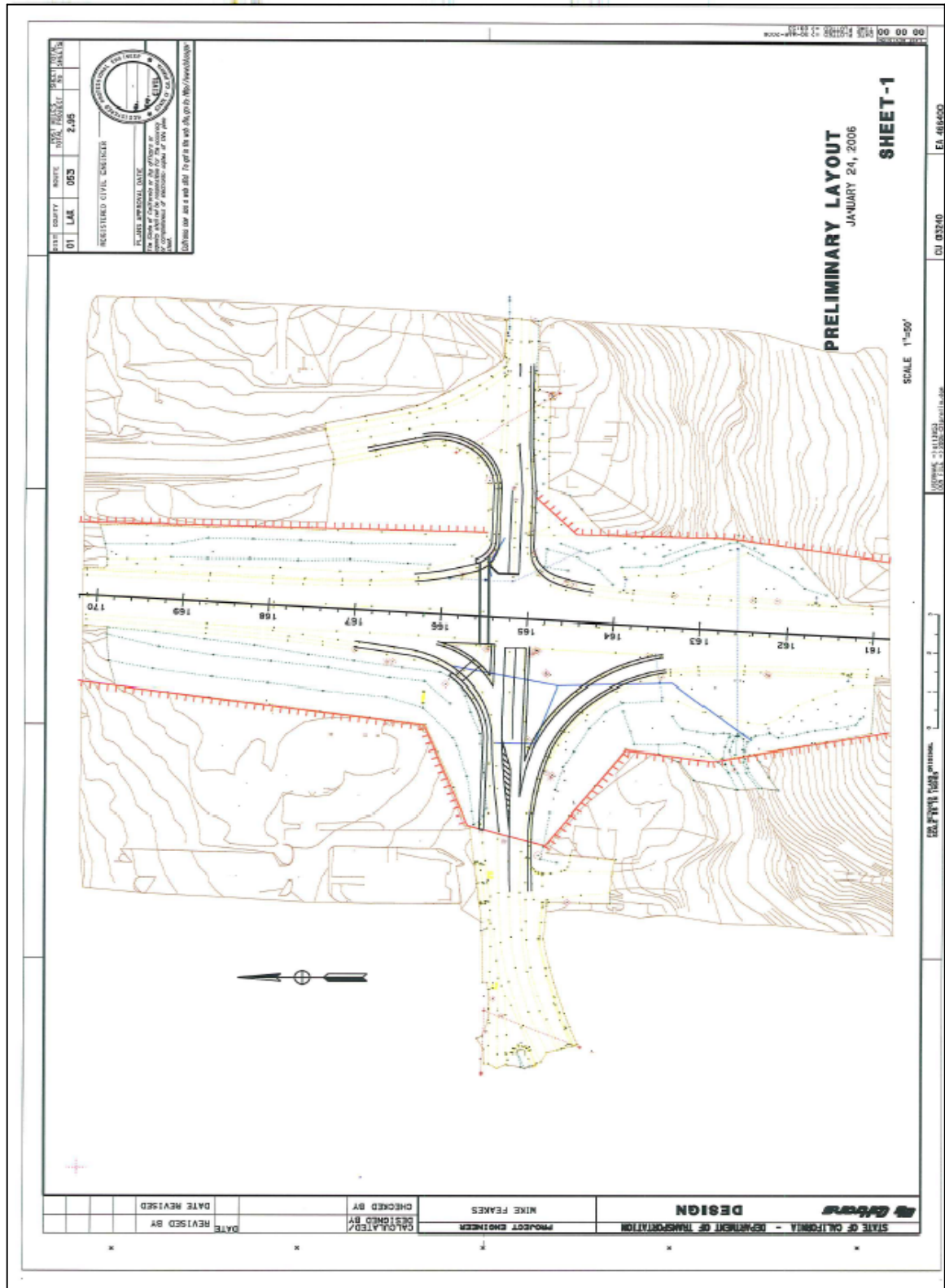
Figure 1-2. Color Aerial Layout Sheet



LAK-53 Initial Study



Figure 1-4. Layout Sheet "B"



1.3 Alternatives

There are two proposed alternatives for this project; “Build-Alternative” and the “No-Build Alternative”.

Build Alternative

The Build Alternative proposes to perform various safety improvements at the intersection of SR-53 and 40th St./Lakeshore Avenue in Lake County (KP 4.75)(PM 2.95). The current intersection is signalized but does not provide a protected left turn lane. Construction activities will consist of; modifying the existing signal system to provide protected left turns onto LAK-53 from 40th St/Lakeshore Ave, cut back the slope in the northwest quadrant of the intersection to increase sight distance, placement of fill near the mini market business to widen lanes back to the mini market driveway in the southwest quadrant of the intersection, and various drainage improvements, which include the creation of a rock-lined ditch from the area near the overside drain in the southwest quadrant of the intersection down the slope to the natural bottom of the drainage where it flattens out. The project will require earthwork, pavement widening, sidewalks, digouts, cold planning, repaving, restriping, and drainage work.

The estimated cost of the Build Alternative is \$740,000. The project is funded from the Minor A HB1 fund in the 2007/08 fiscal year.

No-Build Alternative

A No-Build Alternative is included to provide a baseline for comparison of the impacts of a proposed project. With a No-Build Alternative, the safety improvements would not be constructed.

Alternatives Considered and Withdrawn

There were no other alternatives that were considered and withdrawn.

Chapter 2 Affected Environment, Environmental Consequences, and Avoidance, Minimization and/or Mitigation Measures

This chapter explains the impacts that the project would have on the human, physical and biological environments in the project area. It describes the existing environment that could be affected by the project and potential impacts to resources.

As part of the environmental analysis conducted for the project, the following environmental resources were considered, but no potential for adverse impacts to these resources was identified. Consequently, there is no further discussion regarding these resources in this document:

- **Growth** - The purpose of the proposed project is to improve safety. The project would not provide for an increase in traffic capacity (such as additional through-traffic lanes) and would not contribute to growth in the surrounding area.
- **Community Impacts** - The proposed project is located in the City of Clearlake. This project will improve intersection visibility and increase traffic safety and will not result in adverse impacts to the community.
- **Geology/Soils/Seismic/Topography** – There are no geotechnical elements in the project area that need to be addressed. (Caltrans 2006). The project includes minor cuts and fills on disturbed soil, which does not warrant the preparation of a Geotechnical Study.
- **Water Quality** – The project includes the creation of a rock lined ditch from an area near the overside drain in the SW Quadrant of the intersection down the slope to the natural bottom of the drainage. This project includes minor ground disturbance, which does not warrant the preparation of a Water Quality Technical Study (WQTS) (Caltrans 2006). Caltrans Best Management Practices (BMP's) will be required as part of the construction project. No floodplain encroachment as defined in 23 CFR 650.105 will occur.
- **Paleontology** - The Architectural Study Report (Caltrans 2006) indicated that paleontological studies were not applicable to the proposed project.
- **Wetlands** - There are no wetlands or riparian areas within the project area, therefore, there would be no impact to wetlands or riparian areas. (Caltrans 2006)

- **Utilities** – The Environmental Study Request (ESR, Caltrans 2005) states that the proposed project may have an impact on underground communication lines; however, they are within existing Caltrans Right-of-Way so any relocation will have minimal impact because there are no nearby structures or other physical features which would prohibit the relocation of the underground utilities.
- **Farmland** – There is no farmland within the project area, therefore, there would be no impact to farmlands.
- **Hazardous Waste** – A Preliminary Site Investigation (PSI) (Caltrans 2006) indicated that there were no significant hazardous waste/material issues. No special conditions or restrictions will be required.
- **Cumulative Impacts** –The proposed project would not contribute to cumulative impacts to resources in the project area.

2.1 Human Environment

Traffic and Transportation/Pedestrian and Bicycle Facilities

Affected Environment

Caltrans Traffic Operations identified a concentration of accidents at the intersection of LAK-53 and Lakeshore/40th Avenues. During a 5-year period, June 1 1999 to May 31, 2004, there were 28 total accidents at this location. Six accidents were classified as “Rear End”; 6 were “Red Light Violations”; 9 were “Failure to Yield”; 4 were “Improper Turns/Unsafe Turning Movements”; 1 was “Trouble Merging”; 1 was “Speeding/Inattention”; and 1 was classified as “Other”. Of those 28 accidents, 25 appear to be multi-vehicle.

Impacts

The proposed safety project will improve traffic operations by creating dedicated left turn lanes on the local street legs and modifying the existing signal system providing a left turn phase. The project includes earthwork, pavement widening, resurfacing, upgrading signals, improving drainage, and constructing adjacent sidewalks to meet current ADA standards.

Pedestrians and bicyclists are currently allowed to use the roadway within the project limits, though there are no official bicycle/pedestrian designations.

Avoidance, Minimization and/or Mitigation Measures

A Transportation Management Plan to address traffic flow during construction has been developed for this project and would be updated during the final project design.

All impacted emergency response agencies would be notified in advance of any planned traffic control operations. The Contractor would prepare an emergency response action plan prior to the beginning of construction. This plan would address the facilitation of emergency vehicle access through the construction zone.

Visual/Aesthetics

Affected Environment

The California Environmental Quality Act (CEQA) establishes that it is the policy of the state to take all action necessary to provide the people of the state “with...enjoyment of *aesthetic*, natural, scenic and historic environmental qualities.” [CA Public Resources Code Section 21001(b)]

The project is located within the Clear Lake Watershed in Lake County. State Route 53 parallels the east shore of Clear Lake and connects State Route 20 and State Route 29 within the City of Clearlake. The Clear Lake region supports a large tourist industry with vineyards, orchards, resorts, fishing and water sports drawing people from the Bay Area and the Central Valley. The surrounding Central Coast Range and national forests also provides a wide range of recreational activities for locals and visitors.

The climate in the region is Mediterranean in nature with hot dry summers and cool rainy winters. Clear Lake receives an average of 29 inches of rain annually with most of it occurring between October and April. Vegetation communities located within the Clear Lake watershed includes pine and oak woodlands and grasslands on the lower slopes of the surrounding hills, Douglas fir forests on the upper slopes of the surrounding mountains and grasslands and wetlands on the valley floor.

Impacts

This project will include the installation of traffic signals and construction of turn lanes, which adds a new built element to the visual landscape. Traffic signals and channelized turn lanes are common throughout the state highway system. The addition of intersection lighting should be minimal since there are no residential buildings located immediately adjacent to the intersection.

Upon review of the scope of the project, there will be no adverse impacts on the visual quality or scenic resources due to this project or its design elements. This project will improve intersection visibility and increase traffic safety.

Avoidance, Minimization and/or Mitigation Measures

Context sensitive design/aesthetic treatment of the pedestrian island located at the northwest corner of State Route 53 and Lakeshore Dr. should be considered.

Cultural Resources

Regulatory Setting

The proposed project is a federal undertaking subject to 36 CFR Part 800, implementing regulations for Section 106 of the National Historic Preservation Act and will be processed under the *Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act* (January 1, 2004) (PA). In addition, the project is subject to state historic preservation laws and regulations set forth in the California Environmental Quality Act (PRC§21000 et seq.). According to Section 15064.5 of CEQA, a project with an effect that may cause a substantial adverse change in the significance of a historical resource is a project that may have a significant effect on the environment. Lead agencies are required to identify any historic resources that may be affected by any undertaking involving state or county lands, funds, or permitting. Furthermore, the significance of such resources that may be affected by the undertaking must be evaluated using the criteria for listing on the California Register of Historical Resources (PRC§5024.1, Title 14 CCR, Section 4852).

Affected Environment

In accordance with Stipulations VI.B.7 and VIII.A of the above-referenced PA, the project's archaeological Area of Potential Effects (APE) has been established to encompass the maximum limits of potential ground disturbing construction activities that would reasonably be expected from the proposed project (as detailed in the above scope description), including but not limited to, all existing and proposed new rights-of-way, temporary construction easements, utility relocations, and any mandatory borrow, disposal, and/or equipment staging areas. Pursuant to Attachment 3 (APE Delineation) of the PA, the APE has been established to encompass entire archaeological sites when/if the boundaries of such sites are found to extend partially within the APE. In such cases, the term Area of Direct Impact (ADI) is used to refer to the portion of the site that lies within the direct project impact limits.

Information was sought from a number of sources prior to the field inventory in an effort to determine the number and scope of previous cultural resource investigations that have been conducted in the area, as well as to identify any known archaeological or cultural heritage sites that have been previously identified within or near the APE.

A record search was completed at the Northwest Information Center (NWIC) of the California Archaeological Inventory, California State University, Sonoma, on October 4, 2005. The record search included documentation of known archaeological sites, prior investigations, historic landmarks, historic markers, as well as any properties listed in the California Register of Historic Places within one-quarter mile of the project area. Specifically, the following documents and references were examined as part of this search: *National Register of Historic Places* - listed and/or eligible properties (United States Department of Interior [USDI] 1979 and updates); the *California Inventory of Historic Resources* (1976); *California Points of Historical Interest* (State of California 1992); *California Historical Landmarks* (State of California 1996); *Historic Spots in California* (Hoover et al. 1990); *Directory of Properties in the Historic Properties in the Historic Property Data File for Lake County* (2004).

The maps and files maintained by the NWIC showed that numerous previous cultural resource surveys have been conducted in the current APE, with no prehistoric or historic sites identified. Additional studies have been conducted within the project vicinity with one site identified within a quarter mile radius and includes: C530 is an lithic scatter, east of SR 53 and north of Lakeshore Avenue. A 1921 Army Corps of Engineers tactical map, Lower Lake Quadrangle, Grid Zone 6 shows several farming/ranching complexes possibly within or adjacent to the project area. No historic landmarks, historic markers or properties listed in the California Register of Historic Places were identified in the project area.

The California Native American Heritage Commission (CalNAHC) was contacted to request a search of the sacred land files for the project area. Although the search failed to yield information on Native American cultural resources located within or adjacent to the project area, the CalNAHC provided a list of individuals and organizations in the Native American community that may be able to provide information about unrecorded sites in the project vicinity.

Initial consultation letters describing the project and seeking input from the local Native American community were first sent to organizations/individuals provided by

the CalNAHC on November 14, 2005. Efforts to consult and seek input from the local Native American community have occurred throughout the planning and development of the project and are ongoing.

In an effort to seek input from the public regarding concerns for cultural resources within the project area, a letter was sent on November 14, 2005, to the Lake County Historical Society. To date, the organization listed above has not notified the Department regarding specific or general concerns for cultural resources within the project limits.

On November 14, 2005, the entire APE was subjected to an intensive pedestrian survey under the guidance of the *Secretary of the Interiors Standard's for the Identification of Historic Properties*, using transects that proceeded north-south direction along State Route 53. The cultural resource inventory of the project's APE resulted in the identification of one archaeological resource, CA-LAK-2189/H. This multiple component site consists of a prehistoric lithic scatter and a historic public dump situated at the corner of State Route 53 and Lakeshore/40th Avenues. The site is located on a slight, southwest-trending knoll, portions of which appear to have been bisected during construction of both SR-53 and Lakeshore/40th Avenues. Within the prehistoric component, most of the debitage (+ 20) is primarily composed of Borax Lake obsidian. Prehistoric artifacts are widely scattered across the site, but are most concentrated at the southeast corner of the intersection. The historic component dates to pre-1956 based on Caltrans' As-Built maps and consists primarily of glass, ceramic and metal fragments, and nails. The site area appears to have been greatly disturbed and recontoured, and bedrock has been exposed at various locations. Vegetation consists of annual grasses, oak trees and various shrubs.

Impacts

Pursuant to Stipulation VIII.C of the PA, Caltrans evaluated the historical significance of the identified property in accordance with 36 CFR 800.4(c)(1). Caltrans, on behalf of FHWA, is requesting concurrence from the State Historic Preservation Officer (SHPO) on the following eligibility determination:

CA-LAK-2189/H is assumed eligible for the National Register under Criterion D; however, an Extended Phase I investigation conducted within the ADI determined that the portion of the site within the ADI is highly disturbed, does not contain important information, and is a non-contributing element. The remainder of the site

will be protected from project effects by establishment of an Environmentally Sensitive Area (ESA).

In summary, no evidence of intact prehistoric or historic cultural deposits, features, or significant material was observed within the ADI at Site CA-LAK-2189/H during the surface inspection and subsurface testing. Pending SHPO concurrence, no further archaeological work is warranted within the site ADI for this project, and the project will not result in any impact to historical properties.

Avoidance, Minimization and/or Mitigation Measures

Further investigation of the resources located within the APE may be necessary if they cannot be avoided by the proposed project. Additional archaeological surveys will be necessary if project limits are expanded to include areas outside the current APE limits. In the event that buried archaeological materials are encountered during construction, the course of action followed will be that stated in Stipulation XV. Post Review Discoveries, Section B.1.-3. in the January 2004 *Programmatic Agreement Among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-Aid Highway Program in California (PA)*.

Additionally, although no indications of human remains were identified on the surface, subsurface human remains may become evident during construction activities. Applicable procedures should be followed upon the unanticipated discovery of human remains, in accordance with provisions of the State Health and Safety Code, Sections 7052 and 7050.5 and the State Public Resources Code Sections 5097.9 to 5097.99. Sections 7052 and 7050.5 of the State Health and Safety Code define the disturbance of Indian cemeteries as a felony. The code further requires that construction or excavation is stopped in the vicinity of discovered human remains and the Sheriff and Coroner notified immediately. The Coroner must determine whether the remains are those of a Native American within 48 hours. If the remains are determined to be Native American, the Coroner shall contact the California Native American Heritage Commission within 24 hours. Subsequent procedures shall be followed, according to State Public Resources Code Sections 5097.9 to 5097.99, regarding the role of Native American participation.

2.2 Physical Environment

Air Quality

Affected Environment

This project is exempt from air quality conformity analysis requirements per Table 2 of 40 Code of Federal Regulations (CFR) §93.126, subsection Safety (“Safety improvement program”).

No further conformity analysis is required.

Local (Project-Level CO) Analysis

Based on Figure 3 Local CO Analysis and Section 4.7.1 of the Caltrans Transportation Project-Level Carbon Monoxide Protocol, UCD-ITS-RR-97-21 by the Institute of Transportation Studies, UC Davis, this project:

- a) does not significantly increase vehicles operating in cold start mode
- b) does not significantly increase traffic volumes
- c) does not worsen traffic flow

Therefore, the planned project is not likely to worsen air quality and no local (project-level CO) impacts are anticipated.

Impacts

The proposed project may result in the generation of short-term construction-related air emissions, including fugitive dust and exhaust emissions from construction equipment. Fugitive dust, sometimes referred to as windblown dust or PM₁₀, would be the primary short-term construction impact, which may be generated during excavation, grading and hauling activities. However, both fugitive dust and construction equipment exhaust emissions would be temporary and transitory in nature. Caltrans Standard Specifications, a required part of all construction contracts, should effectively reduce and control emission impacts during construction.

Naturally Occurring Asbestos

Naturally Occurring Asbestos (NOA) is known to exist in serpentine, a greenish greasy-looking rock, found within the ultramafic rock. Based on the California Geologic Survey and National Resource Conservation Service soils map, ultramafic rocks are found in southern part of Lake County. .

Avoidance, Minimization and/or Mitigation Measures

The provisions of Section 7-1.01F, Air Pollution Control, and Section 10 Dust Control require the contractor to comply with all pertinent rules, regulations, ordinances, and statutes of the local air district.

If NOA is found during construction, rules and regulations of the local air quality management district must be adhered to when handling this material

Noise and Vibration

Affected Environment

A Type 1 project is defined by 23 CFR 772 as follows: A proposed Federal or Federal-aid highway project for the construction of a highway on a new location, or the physical alteration of an existing highway which significantly changes either the horizontal or vertical alignment, or increases the number of through traffic lanes. This project does not meet the definition of a Type 1 Project. This project therefore does not require project level traffic noise analysis.

Impacts

During construction, noise may be generated from the contractors' equipment and vehicles.

Avoidance, Minimization and/or Mitigation Measures

Noise generated during construction would be minimized because the contractor would be required to conform to the provisions of Caltrans Standard Specifications, Section 7-1.01 I, "Sound Control Requirements". This section requires the contractor to comply with all local sound control and noise level rules, regulations and ordinances, which apply to any work performed pursuant to the contract. Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler or a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without a muffler.

2.3 Biological Environment

A list of sensitive species that could be present in the project study area was developed using the following information:

- California Natural Diversity data base (2005; 1-mile radius around the project study area);
- U.S. Fish and Wildlife Service List of Threatened and Endangered Species (Lower Lake USGS 7.5' Quadrangle and Lake County, November 2005);
- California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California;

Since impacts to biological resources could extend beyond the footprint of the project, a biological study area was utilized for surveys and impact assessment. Field surveys were conducted to inventory resources in the biological study area, determine the presence/absence of sensitive biological resources and to assess potential impacts as a result of the proposed project. Caltrans biologists conducted all biological surveys.

2.4 Animal Species

Affected Environment

Wildlife surveys were performed in conjunction with botanical surveys and consisted of visual observations of species in the biological study area.

The following animals were observed and/or heard within the project area:

Red-Shouldered Hawk (*Buteo lineatus*)

Nuttall's Woodpecker (*Picoides scalaris*)

White-Breasted Nuthatch (*Sitta carolinensis*)

Oak Titmouse (*Baeolophus inornatus*)

California Towhee (*Pipilo crissalis*)

Western Scrub Jay (*Aphelocoma californica*)

Acorn Woodpecker (*Melanerpes formicivorus*)

Red-Shafted Flicker (*Colaptes auratus*)

Impacts

No threatened or Endangered species are known to be present within the project area.

2.5 Plant Species

Affected Environment

The following plant communities were found within the project area:

Oak Woodland – This habitat is defined as areas with a tree cover that is either continuous or nearly so, with the openings between trees composing a smaller percentage of the total cover than does the canopy. The dominant oak species varies: usually interior live oak (*Quercus wislizenii*), blue oak (*quercus douglasii*), and valley oak (*Quercus lobata*) are found mixed in the woodland. The understory is typically low grassland, which has an understory composed of both herbaceous and shrubby species.

Non-Native Annual Grassland – The components of non-native grasslands are composed of both native and non-native annual and perennial forbs and grasses. This habitat type is dominated by non-native grass species such as wild oats (*Avena barbata*), soft chess (*bromus hordeaceus*), ripgut brome (*Brmus diandrus*) with numerous other native and non-native annuals including star thistle (*Centaurea solstitialis*), lupine (*Lupinus sp.*), and clover (*Trifolium hirtum*).

Ruderal Vegetation – Ruderal vegetation is common along roadsides and field edges, chiefly consisting of non-native grasses and forbs including yellow star thistle and hare barley (*Hordeum marinum ssp. Gussoneanum*). Occasional ornamental trees are also located within this vegetation type. This vegetation type appears to be frequently controlled through the use of herbicides along roadsides and field edges.

Vegetation located directly within the project area is comprised of both native and invasive flora, and contains the following plant species:

Alfalfa (*Medicago sativa*)

American Purple Vetch (*Vica Americana*)

Black Oak (*Quercus Kelloggii*)

Blue Oak (*Quercus Douglasii*)

Bullthistle (*Cirsium vulgare*)

Dandelion (*Agoseris grandiflora*)

Foxtail (*Bromus madritensis ssp. rubens*)

Slender Wheatgrass (*Agropyron trachcaulum*)

Sow Thistle (*Sonchus oleraceus*)

Star Thistle (*Centaurea solstitialis*)

No special status plant species are known to occur within the project area.

Impacts

Shoulder widening, trenching activities and placement of signs will result in a minor loss of non-native grasslands and ruderal vegetation.

Trees were inspected for evidence of nesting activity; no nests were found within the project area.

The proposed project is not expected to have significant impacts to plant species occurring within the project study area because of the minimal amount of vegetation located in the project area that will be disturbed.

No wetlands or riparian resources will be affected by the project.

Avoidance, Minimization and/or Mitigation Measures

All off-road construction equipment is to be cleaned of potential noxious weed sources (mud, vegetation) before entry to the project area and after entering a potentially infested area before moving on to another area., to help ensure noxious weeds from outside of the project area are not introduced into the project area.

The contractor shall employ whatever cleaning methods (typically with the use of a high-pressure water hose) are necessary to ensure that equipment is free of noxious weeds. Equipment shall be considered free of soil, seeds and other debris when a visual inspection does not disclose such material. Disassembly of equipment components or specialized inspection tools is not required. Equipment washing

stations shall be placed in areas that afford easy containment and monitoring (preferably outside the project area) that do not drain into sensitive (riparian, wetland, etc.) areas.

To further minimize the risk of introducing additional non-native species into the area, only native plant species appropriate for the project area will be used in any erosion control or revegetation seed mix or stock. No dry-farmed straw will be used, and certified weed-free straw shall be required where erosion control straw is to be used. In addition, any hydro-seed mulch for revegetation activities must also be certified weed-free. Wildlife surveys were performed in conjunction with botanical surveys and consisted of visual observations of species in the biological study area.

To comply with California Department of Fish & Game (CDFG) codes 3503 and 3503.5, a survey for nesting birds will be conducted by a Caltrans biologist prior to any tree removal. In addition, to comply with the federal Migratory Bird Treaty Act (MBTA), removal of trees should be carried out between September 16th and March 14th, pending the presence of active nests.

All construction work will have Caltrans' Best Management Practices (BMPs) implemented, including Section 2.3.2 of the Caltrans Construction Site BMP Manual, satisfying the requirements for dust and erosion control:

- Minimize disturbed areas by locating temporary roadways to avoid stands of trees and shrubs and to follow existing contours to reduce cutting and filling.
- Preserve existing vegetation to the maximum extent feasible.
- All disturbed areas shall be planted or stabilized. If work on a slope is substantially complete, the slope should be stabilized with permanent controls.
- Dust control shall be applied in accordance with Caltrans standard practices.

Chapter 3 **Comments and Coordination**


This chapter summarizes the results of Caltrans' efforts to fully identify, address and resolve project-related issues through early and continuing coordination.

The Initial Study with Proposed Negative Declaration was made available for public and agency review and comment for 30 days. Caltrans ensured that the document was made available to all appropriate parties and agencies, including the following: 1) Responsible agencies, 2) Trustee agencies that have resources affected by the project, 3) other state, federal and local agencies which have regulatory jurisdiction, or that exercise authority over resources which may be affected by the project, 4) the general public. Copies of the document were also made available at the Caltrans District 1 office, P.O. Box 3700, Eureka, CA 95502 and at the Caltrans District 3 Office of Environmental Management, P.O. Box 911, Marysville, CA 95901. It also was available on the Internet: <http://www.dot.ca.gov/dist1/d1projects/envdocs.htm>.

After the review period, Caltrans received two comments. One was from a local property owner and the other was from a local citizen. Copies of the comments and responses are in Appendix E.

Concurrence with the Determination of Eligibility by the State Historic Preservation Office (SHPO) was received on November 29, 2006 (See Figure 1-5 in Appendix E).

Figure 1-5. Newspaper Ad



State of California • Department of Transportation

PUBLIC NOTICE


NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

The California Department of Transportation (Caltrans) and the Federal Highway Administration (FHWA) are proposing to widen the intersection of State Route 53 and 40th Street/Lakeshore Ave. in the City of Clearlake in Lake County (PM 2.95) to create dedicated left turn lanes from 40th Street/Lakeshore Avenue onto SR-53. The project will require earthwork, road widening, sidewalks, digouts, repaving, restriping and drainage work.

What is Available

The environmental document, referred to as a Draft Initial Study (IS), is available for review from December 4, 2006 to January 2, 2007 at the Lake County Library Redbud Branch, 14785 Burns Valley Rd., Clearlake, CA 95422. It is also available for review and copying weekdays between 8am and 4pm at the Caltrans Office of Environmental Management, 1656 Union Street, Eureka, CA 95501.

The document is also available on the Internet:
<http://www.dot.ca.gov/dist1/d1projects/envdocs.htm>.



Special Accommodations

For individuals with sensory disabilities, this document can be made available in Braille, large print, audio-cassette or computer disc. To obtain a copy in one of these alternative formats, please call or write: Ann Jones, Public Information Officer, Caltrans District 1, P.O. Box 3700, Eureka, CA 95502, (707) 445-6444 (Voice Phone) or (530) 741-4509 (TTY).

Comments

Please submit your written comments to Susan D. Bauer at Caltrans, Office of Environmental Management, P.O. Box 911, Marysville, CA 95901. Comments may also be submitted via e-mail to sue_bauer@dot.ca.gov. All comments must be received by **January 2, 2007**. For more information about this project please call Dina Noel, Project Manager at (916) 274-0600.

Charles Fielder, District 1 Director
California Department of Transportation
P.O. Box 3700, Eureka, CA 95502

Chapter 4 List of Preparers

The following Caltrans North Region staff contributed to the preparation of this Initial Study:

Christopher Carroll, Associate Environmental Planner. Contribution: Environmental Study Coordinator and Document Writer

Susan D. Bauer, Senior Environmental Planner. Contribution: Environmental Branch Chief

Erin Dwyer, Associate Environmental Planner (Archaeology). Contribution: Historic Property Survey Report (HPSR)

Gail St. John, Associate Environmental Planner (Architectural Historian). Contribution: Historic Architecture Review

Krishnan Nelson, Associate Environmental Planner (Natural Science). Contribution: Former project biologist, Natural Environment Study (NES), Wetland Delineation

Mike Feakes, Transportation Engineer. Contribution: Project Engineer

Sean Charles, Transportation Engineer. Contribution: Sr. Project Engineer

Leota Lovelace, Transportation Engineer. Contribution: Right-of-Way Agent

Mark Melani, Transportation Engineer. Contribution: Initial Site Assessment (Hazardous Waste)

Jim Hibbert, Landscape Associate. Contribution: Visual Impact Analysis Report

Dina Noel, Senior Transportation Engineer. Contribution: Project Manager

Sharon Tang, Transportation Engineer. Contribution: Air Quality and Noise Reports

Appendix A **CEQA Checklist**

The following checklist identifies physical, biological, social, and economic factors that might be affected by the proposed project. The California Environmental Quality Act impact levels include “potentially significant impact,” “less than significant impact with mitigation,” “less than significant impact,” and “no impact.”

The California Environmental Quality Act requires that environmental documents determine significant or potentially significant impacts. In many cases, background studies performed in connection with the project indicate no impacts. A mark in the “no impact” column of the checklist reflects this determination. Any needed explanation of that determination is provided at the beginning of Chapter 2.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

AESTHETICS - Would the project:

- | | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic building within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

"No Impact" determinations in this section are based on the Visual Impact Analysis, September 2006.

AGRICULTURE RESOURCES - In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

- | | | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

"No Impact" determinations in this section are based on various field reviews in 2005 and 2006

AIR QUALITY - Where available, the significance criteria established by the applicable air quality management or air pollution control district might be relied upon to make the following determinations. Would the project:

- | | | | | |
|---------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Expose sensitive receptors to substantial pollutant concentration?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) Create objectionable odors affecting a substantial number of people?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determinations in this section are based on the Air Quality Report, March 2006.

BIOLOGICAL RESOURCES - Would the project:

a) Has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determinations in this section are based on the Natural Environmental Study (NES), March 2006.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determinations in this section are based on the Natural Environmental Study (NES), March 2006.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determinations in this section are based on the Natural Environment Study, May 2006.
COMMUNITY RESOURCES - Would the project:

a) Cause disruption of orderly planned development?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Be inconsistent with a Coastal Zone Management Plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Affect lifestyles or neighborhood character or stability?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Physically divide an established community?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) Affect minority, low-income, elderly, disabled, transit-dependent, or other specific interest group?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

f) Affect employment, industry, or commerce, or require the displacement of businesses or farms?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

g) Affect property values or the local tax base?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

h) Affect any community facilities (including medical, educational, scientific, or religious institutions, ceremonial sites or sacred shrines?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

i) Result in alterations to waterborne, rail, or air traffic?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

j) Support large commercial or residential development?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

k) Affect wild or scenic rivers or natural landmarks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

l) Result in substantial impacts associated with construction activities (e.g., noise, dust, temporary drainage, traffic detours, and temporary access, etc.)?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

“No Impact” determinations in this section are based on review of the Environmental Study Request attachments; various field reviews of the project area in 2005 and 2006, and Caltrans’ Standard Special Provisions for construction activities.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

CULTURAL RESOURCES - Would the project:

- | | | | | |
|---------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

“Less Than Significant Impact” determinations in this section are based on the Architectural Study Report (ASR) and Historic Property Survey Report (HPSR), October 2006

GEOLOGY AND SOILS - Would the project:

- | | | | | |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determinations in this section are based on the Geotechnical E-mail, September 2006

HAZARDS AND HAZARDOUS MATERIALS -

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Emit hazardous emissions or handle hazardous or acutely hazardous material, substances, or waste within one-quarter mile of an existing or proposed school?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determinations in this section are based on the Preliminary Site Investigation, June 2006

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area any structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

"No Impact" determinations in this section are based on the Water Quality E-mail, November 2006 that states that a Water Quality Technical Study (WQTS) will not be required for this project.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

LAND USE AND PLANNING - Would the project:

a) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Conflict with any applicable habitat conservation plan or natural community conservation plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

"No Impact" determinations in this section are based on review of the Lake County General Plan.

MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

"No Impact" determinations in this section are based the Geotechnical E-mail, September 2006

NOISE - Would the project:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

in the project area to excessive noise levels?

“No Impact” determinations in this section are based on the Noise Report, March 2006

POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determinations in this section are based on the scope and location of the project.

PUBLIC SERVICES -

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Schools?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Parks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Other public facilities?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

“No Impact” determinations in this section are based on the scope and location of the project.

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

RECREATION -

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

"No Impact" determinations in this section are based on the scope and location of the project.

TRANSPORTATION/TRAFFIC - Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incomplete uses (e.g., farm equipment)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) Result in inadequate emergency access?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

f) Result in inadequate parking capacity?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

"No Impact" determinations in this section are based on the Environmental Study Request, January 2005; Traffic Report, May 2005 and Draft Project Report, November 2005

UTILITY AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) Result in determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

g) Comply with federal, state, and local statutes and regulations related to solid waste?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

"No Impact" determinations in this section are based on the Water Quality E-mail, November 2006 that states that a Water Quality Technical Study (WQTS) will not be required for this project.

MANDATORY FINDINGS OF SIGNIFICANCE -

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, or cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

Potentially significant impact	Less than significant impact with mitigation	Less than significant impact	No impact
--------------------------------	----------------------------------------------	------------------------------	-----------

c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

☐
☐
☐
☒

Appendix B Title VI Policy Statement

Appendix C Minimization and/or Mitigation Summary

1. Avoidance / minimization measures:

Cultural Resources

It is Caltrans' policy to avoid cultural resources whenever possible. If buried cultural materials are encountered during construction, it is Caltrans' policy that work stop in the area until a qualified archaeologist can evaluate the nature and significance of the find. Additional surveys would be required if project limits are extended beyond the present study limits.

Although no indications of human remains were identified on the surface, subsurface human remains may become evident during construction activities. Applicable procedures should be followed upon the unanticipated discovery of human remains, in accordance with provisions of State Health and Safety Code, Sections 7052 and 7050.5 and the State Public Resources Code Sections 5097.9 and 5097.99. Sections 7052 and 7050.5 of the State Health and Safety Code define the disturbance of Indian Cemeteries as a felony. The code further requires that construction or excavation is stopped in the vicinity of discovered human remains and the Sheriff and Coroner notified immediately. The Coroner must determine whether the remains are those of a Native American, the Coroner shall contact the California Native American Heritage Commission within 24 hours. Subsequent procedures shall be followed, according to State Public Resources Code Sections 5097.9 and 5097.9, regarding the role of Native American participation.

Biological Resources

All off-road construction equipment is to be cleaned of potential noxious weed sources (mud, vegetation) before entry to the project area and after entering a potentially infested area before moving on to another area, to help ensure noxious weeds from outside of the project area are not introduced into the project area.

The contractor shall employ whatever cleaning methods (typically with the use of a high-pressure water hose) are necessary to ensure that equipment is free of noxious

weeds. Equipment shall be considered free of soil, seeds and other debris when a visual inspection does not disclose such material. Disassembly of equipment components or specialized inspection tools is not required. Equipment washing stations shall be placed in areas that afford easy containment and monitoring (preferably outside the project area) that do not drain into sensitive (riparian, wetland, etc.) areas.

To further minimize the risk of introducing additional non-native species into the area, only native plant species appropriate for the project area will be used in any erosion control or revegetation seed mix or stock. No dry-farmed straw will be used, and certified weed-free straw shall be required where erosion control straw is to be used. In addition, any hydro-seed mulch for revegetation activities must also be certified weed-free. Additional direct and indirect impacts to sensitive biological resources, including wetlands and jurisdictional waters, throughout the project area will be avoided or minimized by designating these features outside of the construction impact area as “environmentally sensitive areas” (ESA’s) on project plans and in project data sheets.

Work windows for compliance with the CDFG codes 3503 and 3503.5 may be implemented. Removal of trees should be carried out between September 16th and March 14th (pending the presence of active nests) to comply with the MBTA. To comply with CDFG codes 3503 and 3503.5 a survey for nesting birds will be conducted by a Caltrans biologist prior to any tree removal.

All construction work will have Caltrans BMP’s implemented, including Section 2.3.2 of the Caltrans Construction Site BMP Manual, satisfying the requirements for dust and erosion control.

- Minimize disturbed areas by locating temporary roadways to avoid stands of trees and shrubs and to follow existing contours to reduce cutting and filling.
- Preserve existing vegetation to the maximum extent feasible.
- All disturbed areas shall be planted or stabilized. If work on a slope is substantially complete, the slope should be stabilized with permanent controls.
- Dust control shall be applied in accordance with Caltrans standard practices.

Traffic/Transportation

A Transportation Management Plan has been developed for this project and would be updated during the final project design.

All impacted emergency response agencies would be notified in advance of any planned traffic control operations. The Contractor would prepare an emergency response action plan prior to the beginning of construction. This plan would address the facilitation of emergency vehicle access through the construction zone

Air Quality

The provisions of Section 7-1.01F Air Pollution Control, and Section 10 Dust Control require the contractor to comply with all pertinent rules, regulations, ordinances, and statutes of the local air district.

If Naturally Occurring Asbestos is found during construction, rules and regulations of the local air quality management district must be adhered to when handling this material.

Noise and Vibration

Noise generated during construction is regulated by the provisions of Caltrans' Standard Specifications, Section 7-1.01 I, "Sound Control Requirements". This section requires the contractor to comply with all local sound control and noise level rules, regulations and ordinances, which apply to any work performed pursuant to the contract. Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler or a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without a muffler.

Landscape

Context sensitive design/aesthetic treatment of the pedestrian island located at the northwest corner of State Route 53 and Lakeshore Dr. should be considered.

Appendix D List of Technical Studies

To assist in the identification and assessment of potential environmental impacts of the proposed project, Caltrans staff prepared the following technical reports:

Air Quality, Noise and Energy Report (Caltrans 2006)

Historic Property Survey Report (Caltrans 2006)

Archeological Survey Report (Caltrans 2006)

Archeological Excavation Report (Shapiro et al 2006)

Preliminary Site Investigation (Hazardous Waste, Caltrans 2006)

Initial and Updated Site Assessment (Hazardous Waste, Caltrans 2006)


Naturally Occurring Asbestos, Aerially Deposited lead and Landfill Site Investigation Report (Hazardous Waste, Caltrans 2006)

Natural Environment Study (Caltrans 2006)

Visual Impact Assessment (Caltrans 2006)

Appendix E Public Review Comments

Figure 1-6. SHPO Concurrence Letter

<p>STATE OF CALIFORNIA THE RESOURCES AGENCY OFFICE OF HISTORIC PRESERVATION DEPARTMENT OF PARKS AND RECREATION P.O. BOX 942858 SACRAMENTO, CA 94290-0001 (916) 953-0024 Fax: (916) 953-9024 calshpo@ohp.parks.ca.gov www.ohp.parks.ca.gov</p>	<p>ARNOLD SCHWARZENEGGER, Governor</p> 
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------

29 November 2006

In Reply Refer To
FHWA061113B

Susan D. Bauer
Office of Environmental Management
California Department of Transportation, District 3
P.O. Box 911
Marysville, CA 95901

RE: DETERMINATION OF ELIGIBILITY FOR THE STATE ROUTE 53 SAFETY PROJECT
[SECTION 106 CONSULTATION (RND.01) ON THE STATE ROUTE 53 SAFETY
PROJECT, LAKE COUNTY, CALIFORNIA]

Dear Ms. Bauer:

This letter is a response to the California Department of Transportation's (Caltrans) submission, on behalf of the Federal Highway Administration (FHWA), of the October 2005 *Historic Property Survey Report for the Intersection of State Route 53 and Lakeshore 40th Avenue Safety Project, Lake County, California*. Caltrans' submission and my comment on it here are made pursuant to the 1 January 2004 *Programmatic Agreement among the Federal Highway Administration, the Advisory Council on Historic Preservation, the California State Historic Preservation Officer, and the California Department of Transportation Regarding Compliance with Section 106 of the National Historic Preservation Act, as it Pertains to the Administration of the Federal-aid Highway Program in California* (PA).

Your letter of 8 November 2006 requests, pursuant to stipulation VIII.C.5 of the PA, that I concur with a determination that Caltrans has made on the National Register of Historic Places (National Register) eligibility of a dual component archaeological site in the area of potential effects for the subject undertaking.

Caltrans more specifically requests that I concur that "CA-LAK-2189/H is assumed eligible for the National Register under Criterion D; however, ... the portion of the site within the ADI [area of direct impact] is highly disturbed, does not contain important information, and is a non-contributing element."

I understand, on the basis of a telephone conversation today between yourself and Mike McGuirt of my staff, that Caltrans wishes to assume, for the purpose of our present consultation, that CA-LAK-2189/H is eligible for inclusion in the National Register, and, further, that Caltrans determines that the portion of this archaeological site that includes the present R.O.W. for State Route (SR) 53 to the south of the present northern site boundary (2 May 2006 update to the California Department of Parks and Recreation 523 (DPR) series forms), and the present R.O.W. for SR 53,

Figure 1-6. SHPO Concurrence Letter (cont'd)

SUSAN D. BAUER
23 NOVEMBER 2006
PAGE 2 of 2

HRWAC061113B

40th Avenue, and Lakeshore Avenue to the north of the present southern site boundary (2 May 2006 update to the DPR 523 series forms) would not contribute to the National Register eligibility of CA-LAK-2189/H should it ever be determined to be so eligible.

I agree, contingent upon the accuracy of my understanding above, that the assumption of the National Register eligibility of CA-LAK-2189/H is an appropriate management strategy for the site in the context of the planning for and the implementation of the proposed undertaking, and I concur that the subject portion of the site, described above, would not contribute to any ultimate determination of the site's National Register eligibility.

If my above understanding of Caltrans' intent with regard to the National Register status of CA-LAK-2189/H and its constituent deposits is correct, please sign the signature block below to so indicate, and, at your earliest convenience, return a signed copy of the letter to me for my files.

Please direct any questions or concerns that you may have to Project Review Unit archaeologist Mike McGuire at 916.653.8920 or at mmcgu@parks.ca.gov.

Sincerely,

Susan D. Bauer for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

<i>Susan D. Bauer</i>	Date <i>12/7/06</i>
Susan D. Bauer Office of Environmental Management California Department of Transportation, District 3	

MWD:MDM:mdm

1. Gary and Shelley Weiser – (Area property owners)

Comment – Comment via e-mail on December 8, 2006. They asked how their parcel would be impacted by the project. They also wanted to know the proposed construction timeframe.

Response – The project will not impact their property since all of the work will be within state and county right-of-way. Construction is proposed for the summer of 2008.

1. Madlyn Gymnaites – (Citizen)

Comment – Comment via e-mail on November 30, 2006. She stated that she thinks the planned changes will be beneficial for the flow of traffic and safety. She also requested that construction would begin no earlier than 8am and end before 5pm.

Response – Caltrans strives to minimize construction noise disturbance to the adjacent communities. Noise generated during construction is regulated by the provisions of Caltrans' Standard Specifications, Section 7-1.01 I, "Sound Control Requirements". This section requires the contractor to comply with all local sound control and noise level rules, regulations and ordinances, which apply to any work performed pursuant to the contract. Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler or a type recommended by the manufacturer. No internal combustion engine shall be operated on the project without a muffler.